IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 489 of 1998

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

==========

1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

==========

NATVARSINH RAGHUNATHSINH KSHTRIYA - Petitioner(s)
Versus
CHIEF ELECTION COMMISSIONER OF INDIA & 3 - Respondent(s)

==========

Appearance :
PARTY-IN-PERSON for Petitioner(s) : 1,
MR PRASHANT G DESAI for Respondent(s) : 1,
GOVERNMENT PLEADER for Respondent(s) : 2 - 4.

==========

CORAM : HONOURABLE MR.JUSTICE M.R. SHAH

Date : 18/04/2007

ORAL JUDGMENT

By way of this petition under Article 226 of the Constitution of India, the petitioner has prayed for an appropriate writ, direction and/or order quashing and setting aside the notice dated 10-7-1995 and also

the consequential order.

It is required to be noted that by impugned order dated 7-7-1997, the Election Commission of India passed an order under section 10A of the Representation of the People Act, 1951 disqualifying the petitioner for being chosen as and for being a member of House of Parliament or of the Legislative Assembly or Legislative Council of State or union territory for a period of three years from the date of the order. Thus, petitioner was disqualified upto 7-7-2000. The said period of disqualification is already over long back. Under the circumstances, by efflux of time, the present petition has become infructuous. Rule discharged. No costs.

(M.R. Shah, J.)

shekhar/-